

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

C. JACKSON HOOVER, MATTHEW S.
GREINER, EDWARD WILLIAM
SPRATT, RONALD HEBERT, SANDI
DOUGET, SAMUEL AGNEW on behalf
of themselves and all others similarly
situated,

Plaintiffs,

v.

STRATEGIC CAPITAL PARTNERS,
LLC, et al.,

Defendants.

CIVIL ACTION FILE
NO. 1:21-cv-01299-SDG

**CONSENT MOTION TO EXTEND TIME FOR DEFENDANT BENNETT
THRASHER, LLP TO RESPOND TO PLAINTIFFS' COMPLAINT**

Defendant Bennett Thrasher, LLP (“BT”), by and through their undersigned counsel, with the consent of Plaintiffs, file this Consent Motion for an Extension of Time for BT to file its answer or other responsive pleading to the first complaint as follows:

1. On August 16, 2021, the Court entered a scheduling Order upon a motion filed by Plaintiffs, to which Defendants consented, providing deadlines and page limits for the Parties’ motion to dismiss briefing. (Doc. 137.) Specifically, the scheduling Order provided Defendants until October 18, 2021 to file one

consolidated brief in support of their motion to dismiss and until November 1, 2021 to file separate motions to dismiss for each individual or group defendant. (*Id.*) The scheduling Order further provided that Plaintiffs would have until January 12, 2022 to file one consolidated brief in response to Defendants' consolidated motion to dismiss brief and until January 28, 2022 to file separate briefs in response to each of the individual motions to dismiss briefs filed by Defendants. (*Id.*)

2. BT seeks this extension due to the schedule of the undersigned counsel for BT and files this motion with Plaintiffs' consent. During the week of October 25, undersigned counsel for BT had a family member that was unexpectedly ill and faced related delays from an unusually busy litigation calendar, which included several overlapping deadlines in other matters. Counsel for BT and Plaintiffs' counsel have conferred and Plaintiffs consent to BT's request for additional time to file a responsive pleading, and for Plaintiffs to respond to BT's responsive pleading.

3. Specifically, counsel for BT contacted Plaintiffs' counsel to request consent to a one-week extension of the deadline for filing BT's individual motion to dismiss, as additional time would be helpful to their preparation of response papers. Counsel for Plaintiffs expressed consent and requested that Plaintiffs' response to BT's motion to dismiss be similarly extended, to which Counsel for BT agreed.

4. Accordingly, with the consent of Plaintiffs, BT moves the court to extend the deadline for the BT's individual motion to dismiss brief by one week. BT's motion to dismiss brief is currently due on November 1, 2021 would be due on November 8, 2021; and the opposition briefs currently due on January 28, 2022 would be due on February 4, 2022.

5. None of the deadlines sought to be extended have presently expired. The requested extension of time is sought in a good faith effort to secure additional time to prepare cogent pleadings or motions, not for any dilatory purpose.

6. Counsel for Plaintiffs consent to the relief requested herein.

7. A proposed Order granting the requested extension of time is submitted herewith for the Court's consideration.

WHEREFORE, the undersigned counsel respectfully requests that this Court grant this motion and extend the deadlines as set forth above.

Submitted this 31st day of October, 2021.

/s/ Travis Cashabugh

DANA K. MAINE

Georgia Bar No. 466580

TRAVIS M. CASHBAUGH

Georgia Bar No. 380162

FREEMAN MATHIS & GARY, LLP

100 Galleria Parkway, Suite 1600

Atlanta, Georgia 30339-5948

(770) 818-0000

dmaine@fmglaw.com

tcashbaugh@fmglaw.com

Counsel for Bennett Thrasher, LLP

LOCAL RULE 7.1(D) CERTIFICATION

The undersigned hereby certifies that the foregoing CONSENT MOTION FOR EXTENSION OF TIME and the accompanying proposed order were prepared in Times New Roman 14-point font, pursuant to Local Rule 5.1(B).

This 31st day of October, 2021.

/s/ Travis Cashbaugh

Travis M. Cashbaugh

Georgia Bar No. 380162

CERTIFICATE OF SERVICE

I hereby certify that I have this day electronically submitted the foregoing **Consent Motion to Extend Time for Defendant Bennett Thrasher, LLP to Respond to Plaintiffs' Complaint** to the Clerk of Court using the CM/ECF system which will automatically send electronic mail notification of such filing to counsel of record who are CM/ECF participants.

This 31st day of October, 2021.

/s/ Travis Cashbaugh

Travis M. Cashbaugh

Georgia Bar No. 380162

Attorney for Bennett Thrasher, LLP